

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON, DIVISION

| | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-------------------------------------------------|
| JOHN ALLEN JR., <i>Individually, and as a representative of the</i> THE ESTATE OF JOHN ALLEN and LAWTON ALLEN VS. JUSTIN THOMAS HAYES, individually, TYLER SALINA, individually and CITY OF HOUSTON, TEXAS | | CIVIL ACTION NO. 4:18-CV-00171 JURY DEMANDED |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-------------------------------------------------|

PROPOSED ORDER

The Court hereby grants the Motion to Compel.

City of Houston and Justin Hayes must produce authenticated documents referred to in the Motion to Compel at pages 5-11 and exhibits thereto including audible authentic unedited videos, dash camera videos, surveillance videos and videos, generally and lapel audios of the November 4, 2015 incident as required by the Fifth Circuit's mandate and this Court's new order by **a deadline of July 24, 2020.**

Based on City of Houston defying the previous order and mandates the court further sanctions the City of Houston and Justin Hayes for failing to comply with this court's June 16, 2020 order and the Fifth Circuit's mandate and orders the following:

Strike the pleadings, motion to dismiss and any amendments.

Evidence of the contents of and the audible statements of the body, dash camera video and audio lapel of Officer Tyler Salinas, the court will view in favor of the plaintiff.

Evidence of the contents of the unauthenticated body camera, dash camera video and audio lapel of Justin Hayes the court will view in favor of the plaintiff.

Evidence of the contents of and the audible statements of the body, dash camera videos and audio lapel of each officer at the scene: Lopez, Hurman, Morelli, Baker, the court will view in favor of the plaintiff.

Award of reasonable, necessary and customary attorney's fees of \$1,200 for requiring Plaintiff counsel's preparation of said motion.

Grants Plaintiff additional twenty-one to thirty days to amend the Complaint from the date complete initial disclosures are received.

Failure to comply with this order will render a final judgment with prejudice as to liability in favor of Plaintiff.

and exhibits thereto

Judge Presiding